

# **Exhibit 3**

1 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP  
A Limited Liability Partnership  
2 Including Professional Corporations  
BRYAN D. DALY, Cal. Bar No. 117901  
3 bdaly@sheppardmullin.com  
CHARLES L. KREINDLER, Cal. Bar No. 119933  
4 ckreindler@sheppardmullin.com  
BARBARA E. TAYLOR, Cal. Bar No. 166374  
5 btaylor@sheppardmullin.com  
333 South Hope Street, 43<sup>rd</sup> Floor  
6 Los Angeles, California 90071-1422  
Telephone: 213.620.1780  
7 Facsimile: 213.620.1398

8 Attorneys for Individual Counterclaim  
Defendants Michael Omid, M.D. and  
9 Julian Omid

10 UNITED STATES DISTRICT COURT

11 CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION

12 ALMONT AMBULATORY  
13 SURGERY CENTER, LLC, a  
California limited liability company, et  
14 al.,

15 Plaintiffs,

16 v.

17 UNITEDHEALTH GROUP, INC.;  
UNITED HEALTHCARE SERVICES,  
18 INC., UNITED HEALTHCARE  
INSURANCE COMPANY;  
19 OPTUMINSIGHT, INC., and DOES 1  
through 20,

20 Defendants.

21 UNITED HEALTHCARE SERVICES,  
INC., UNITED HEALTHCARE  
22 INSURANCE COMPANY;  
OPTUMINSIGHT, INC.,

23 Counterclaim Plaintiffs,

24 v.

25 ALMONT AMBULATORY  
SURGERY CENTER, LLC, a  
26 California limited liability company; et  
al.,  
27 Counterclaim Defendants.

Case No. 2:14-cv-03053-MWF(VBKx)  
Honorable Michael W. Fitzgerald

**MICHAEL OMIDI, M.D. AND  
JULIAN OMIDI'S RESPONSE TO  
DEFENDANTS'/COUNTERCLAIM  
PLAINTIFFS' FIRST SET OF  
REQUESTS FOR ADMISSION**

Complaint Filed: March 21, 2014  
Trial Date: None Set

1 PROPOUNDING PARTY: DEFENDANTS/COUNTERCLAIM PLAINTIFFS  
("UNITED")  
2 RESPONDING PARTY: INDIVIDUAL COUNTERCLAIM DEFENDANTS  
3 MICHAEL OMIDI, M.D. and JULIAN OMIDI  
4 SET NO.: ONE

5 **RESPONSES TO REQUESTS FOR ADMISSIONS**

6 **REQUEST FOR ADMISSION NO. 1:**

7 Admit that Julian Omidid signed, at box six ("Name, Address and Signature of  
8 Organizer"), the document that is attached as Exhibit 1.

9 **RESPONSE TO REQUEST FOR ADMISSION NO. 1:**

10 Individual Counterclaim Defendants object to this Request in its entirety on  
11 the following ground. This Request seeks information arguably relating to  
12 Counterclaim Plaintiffs' alter ego theory of liability alleged in the First Amended  
13 Counterclaim ("FACC"), rather than relating to any claim or defense as provided in  
14 Fed. R. Civ. P. 26(b)(1). The FACC is subject to the pending Motions to Dismiss.  
15 If those Motions are granted, in whole or in part—for example, if the Individual  
16 Counterclaim Defendants are dismissed or the Court rules that the alter ego  
17 allegations are insufficient to permit alter ego discovery in the underlying action, as  
18 opposed to post-judgment proceedings, if any, then the subject matter of this  
19 Request will not be relevant.

20 **REQUEST FOR ADMISSION NO. 2:**

21 Admit that Julian Omidid signed, at the line marked "Endorse Here," the  
22 document that is attached as Exhibit 2.

23 **RESPONSE TO REQUEST FOR ADMISSION NO. 2:**

24 Individual Counterclaim Defendants object to this Request in its entirety on  
25 the following ground. This Request seeks information arguably relating to  
26 Counterclaim Plaintiffs' alter ego theory of liability alleged in the FACC, rather  
27 than relating to any claim or defense as provided in Fed. R. Civ. P. 26(b)(1). The  
28

1 FACC is subject to the pending Motions to Dismiss. If those Motions are granted,  
2 in whole or in part—for example, if the Individual Counterclaim Defendants are  
3 dismissed or the Court rules that the alter ego allegations are insufficient to permit  
4 alter ego discovery in the underlying action, as opposed to post-judgment  
5 proceedings, if any, then the subject matter of this Request will not be relevant.

6 **REQUEST FOR ADMISSION NO. 3:**

7 Admit that Michael Omid signed, at box fourteen (“Signature of Authorized  
8 Person”), the document that is attached as Exhibit 3.

9 **RESPONSE TO REQUEST FOR ADMISSION NO. 3:**

10 Individual Counterclaim Defendants object to this Request in its entirety on  
11 the following ground. This Request seeks information arguably relating to  
12 Counterclaim Plaintiffs’ alter ego theory of liability alleged in the FACC, rather  
13 than relating to any claim or defense as provided in Fed. R. Civ. P. 26(b)(1). The  
14 FACC is subject to the pending Motions to Dismiss. If those Motions are granted,  
15 in whole or in part—for example, if the Individual Counterclaim Defendants are  
16 dismissed or the Court rules that the alter ego allegations are insufficient to permit  
17 alter ego discovery in the underlying action, as opposed to post-judgment  
18 proceedings, if any, then the subject matter of this Request will not be relevant.

19 **REQUEST FOR ADMISSION NO. 4:**

20 Admit that Michael Omid signed, in the endorsement box, the document that  
21 is attached as Exhibit 4.

22 **RESPONSE TO REQUEST FOR ADMISSION NO. 4:**

23 Individual Counterclaim Defendants object to this Request in its entirety on  
24 the following ground. This Request seeks information arguably relating to  
25 Counterclaim Plaintiffs’ alter ego theory of liability alleged in the FACC, rather  
26 than relating to any claim or defense as provided in Fed. R. Civ. P. 26(b)(1). The  
27 FACC is subject to the pending Motions to Dismiss. If those Motions are granted,  
28 in whole or in part—for example, if the Individual Counterclaim Defendants are

1 dismissed or the Court rules that the alter ego allegations are insufficient to permit  
2 alter ego discovery in the underlying action, as opposed to post-judgment  
3 proceedings, if any, then the subject matter of this Request will not be relevant.

4 Dated: December 8, 2014

5 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

6  
7  
8 By



BARBARA E. TAYLOR

Attorneys for Individual Counterclaim  
Defendants Michael Omid, M.D.  
and Julian Omid



**SERVICE LIST**1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Bryan Westerfeld  
Nicole E. Wursher  
WALRAVEN & WESTERFELD LLP  
101 Enterprise, Suite 350  
Aliso Viejo, CA 92636  
Tel. (949) 215-1997  
Fax: (949) 215-1999  
Email: bwesterfeld@calemployerlaw.com  
Email: nwurscher@calemployerlaw.com

*Attorneys for Defendant UnitedHealth  
Group, Inc. and  
Defendants/Counterclaim Plaintiffs  
United Healthcare Services, Inc.,  
United Healthcare Insurance Company;  
and OptumInsight, Inc.*

R.J. Zayed  
Stephen P. Lucke  
DORSEY & WHITNEY LLP  
50 South Sixth Street, Suite 1500  
Minneapolis, MN 55402  
Tel: (612) 340-2600  
Fax: (612) 340-2868  
Email: zayed.rj@dorsey.com  
Email: lucke.steve@dorsev.com

*Attorneys for Defendant UnitedHealth  
Group, Inc. and  
Defendants/Counterclaim Plaintiffs  
United Healthcare Services, Inc.,  
United Healthcare Insurance Company;  
and OptumInsight, Inc.*

Daron L. Toooh  
Eric D. Chan  
Katherine M. Dru  
HOOPER, LUNDY & BOOKMAN, P.C.  
1875 Century Park East, Suite 1600  
Los Angeles, CA 90067  
Tel: (310) 551-8111  
Fax: (310) 551-8181  
Email: dtoooh@health-law.com  
Email: echan@health-law.com  
Email: kdru@health-law.com

*Attorneys for Plaintiff and Counter-  
Defendant Providers*